

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EK VENTURES I, LLC; DAVID L.
TAYLOR; DAVID L. TAYLOR AND
VIRGINIA L. ATYLOR as TRUSTEES
FOR THE TAYLOR FAMILY
REVOCABLE TRUST; and
FLEXTRONICS INTERNATIONAL
LTD.,

Plaintiffs,

v.

JAMES R. BARTLETT and Z.B.R.
PUBLICATIONS, INC.,

Defendants,

and

JAMES R. BARTLETT,

Third Party Plaintiff,

v.

GLOBALWARE SOLUTIONS, INC.,
ANTHONY RUDSTON and BRADELY A.
JAY,

Third Party Defendants.

C.A. No. 03-CV-12506-NMG

DEFENDANT JAMES R. BARTLETT'S MOTION TO QUASH SUBPOENA

Defendant James R. Bartlett ("Bartlett") hereby moves, pursuant to Rule 45(c)(3)(A)(iii) of the Federal Rules of Civil Procedure and Local Rule 7.1, to quash, in part, the subpoena *duces tecum* served upon the keeper of the records of Bartlett's accountant Levine Katz Nannis & Solomon, P.C. by the corporate Defendant Z.B.R. Publications Inc., and Third Party Defendants GlobalWare Solutions, Inc., Anthony Rudston, and Bradely A. Jay.

As grounds therefore, defendant Bartlett respectfully refers the Court to Defendant James R. Bartlett's Memorandum In Support Of Motion To Quash Subpoena, which is submitted herewith.

WHEREFORE, Defendant Bartlett respectfully requests that this Court:

1. quash Request No. 25 in the subpoena *duces tecum* to Levine, Katz, Nannis & Solomon, P.C.; and
2. grant such other and further relief as the Court deems just and appropriate.

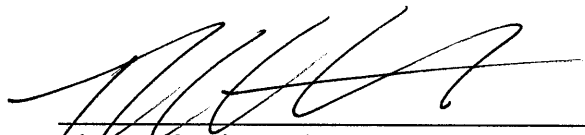
REQUEST FOR HEARING

Pursuant to Local Rule 7.1(D), Bartlett requests a hearing on his motion to quash.

Defendant,

JAMES R. BARTLETT

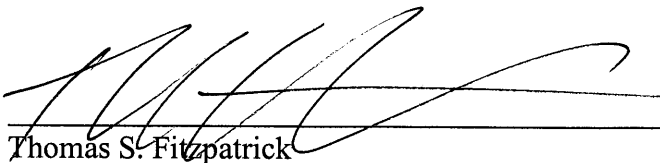
By his attorneys,



Thomas S. Fitzpatrick/BBO #556453
DAVIS, MALM & D'AGOSTINE, P.C.
One Boston Place, 37th Floor
Boston, MA 02108
(617) 367-2500

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I, Thomas S. Fitzpatrick, hereby certify that on January 28, 2005, I had a teleconference with Melissa Tearney, Esq. and David Ryan, Esq., counsel for ZBR Publications, Inc., GlobalWare Solutions, Inc., Anthony Rudston and Bradley Jay, during which we conferred and attempted in good faith to narrow the issue raised by the above motion.



Thomas S. Fitzpatrick

Dated: February 7, 2005

CERTIFICATE OF SERVICE

I, Thomas S. Fitzpatrick, hereby certify that on February 7, 2005 the above motion, was sent electronically to:

David F. Anderson danderson@lattianderson.com

Douglas R. Roach droach@groffmurphy.com

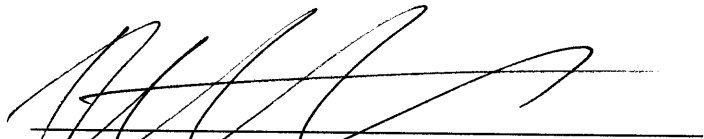
David M. Ryan dryan@nixonpeabody.com

Melissa B. Tearney mtearney@nixonpeabody.com

and by first class mail to:

Douglas R. Roach

Melissa B. Tearney



Thomas S. Fitzpatrick